

PUBLIC HEARING--June 16, 1965

Appeal #8219 J. Francis Harris III, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on June 22, 1965:

ORDERED:

That the appeal to change a nonconforming use from a restaurant to a doll shop at 1661 - 35th Street, N.W., lot 217, square 1291, be denied for the following reasons:

(1) As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds that the proposed doll shop would be a city-wide use whereas the previous use as a restaurant would be more of a local use and therefore which would tend to affect adversely the present character or future development of the neighborhood in accordance with these regulations and the Comprehensive Plan for the District of Columbia. The Board also found that this location is within a block or two from the commercial area and is the type of use which should be located in a commercial district.

(2) The Board further found that the advertisement for this change of use was on the basis of a doll shop only and that the request to change the use to dolls and related small toys was not before those persons residing in the neighborhood and whereas petitions were filed in favor of the appeal that if this change of use had been advertised those persons in favor might have been in opposition.

(3) The Board also found that if appellant desired the doll shop and related small toys he should be required to file a new appeal and have the matter heard at a later public hearing.

(4) The Chairman of the zoning and planning committee of the Citizens Association of Georgetown stated that when they discussed the doll shop at their meeting they considered it as an upgrading and were in favor of the appeal, but felt that a general toy shop would draw more persons into the neighborhood.

(5) In view of the above the Board finds that it has no alternative but to deny the appeal, but that it would be agreeable for the appellant to file a new appeal covering all aspects of the amended request.